

The Honorable Benjamin Settle  
Trial Date: April 16, 2013

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CLYDE RAY SPENCER, MATTHEW RAY  
SPENCER, and KATHRYN E. TETZ,

Plaintiffs,

vs.

FORMER DEPUTY PROSECUTING  
ATTORNEY FOR CLARK COUNTY JAMES  
M. PETERS, DETECTIVE SHARON  
KRAUSE, SERGEANT MICHAEL  
DAVIDSON, CLARK COUNTY  
PROSECUTOR'S OFFICE, CLARK  
COUNTY SHERIFF'S OFFICE, THE  
COUNTY OF CLARK, SHIRLEY SPENCER  
and JOHN DOES ONE THROUGH TEN,

Defendants.

No. C11-5424BHS

DECLARATION OF GARY A. WESTERN

I, Gary A. Western, declare under penalty of perjury under the laws of the State of  
Washington that the following is true and correct.

DECLARATION OF GARY A. WESTERN – 1  
gw/GW1218.466/916147

WILSON SMITH COCHRAN DICKERSON  
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2. Defendant Spencer's Motion for Summary Judgment was originally noted for April 20, 2012. On April 6, 2012, counsel for Plaintiffs called my office to request that we agree to continue that matter. My office agreed and the motion was re-noted for May 18, 2012.

4. Attached hereto as **Exhibit B** are pertinent pages from the deposition of Sharon Krause, taken in Longview, Washington, on May 22, 1996.

Signed at Seattle, Washington, this 16<sup>th</sup> day of May, 2012.

  
GARY WESTERN

**CERTIFICATE OF SERVICE**

The undersigned certifies that under penalty of perjury under the laws of the State of Washington that on the below date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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**Sheriff's Office and Clark County**

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and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

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SIGNED this 18<sup>th</sup> day of May, 2012, at Seattle, Washington.

  
Betty Dobbins